

ORDERED ACCORDINGLY.



1 **TIFFANY & BOSCO**  
2 P.A.  
3 **2525 EAST CAMELBACK ROAD**  
4 **SUITE 300**  
5 **PHOENIX, ARIZONA 85016**  
6 **TELEPHONE: (602) 255-6000**  
7 **FACSIMILE: (602) 255-0192**

Dated: June 08, 2010

GEORGE B. NIELSEN, JR  
U.S. Bankruptcy Judge

6 Mark S. Bosco  
7 State Bar No. 010167  
Leonard J. McDonald  
8 State Bar No. 014228  
Attorneys for Movant

9 10-11031

10 **IN THE UNITED STATES BANKRUPTCY COURT**

11 **FOR THE DISTRICT OF ARIZONA**

12 IN RE:

13 No. 2:10-BK-09184-GBN

14 Dustin James Fender and Heather Catherine Fender  
15 Debtors.

Chapter 7

16 Colonial Savings, F.A.  
17 Movant,

ORDER

18 vs.  
19 Dustin James Fender and Heather Catherine Fender,  
20 Debtors, Roger W. Brown, Trustee.

(Related to Docket #15)

Respondents.

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22 Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed  
23 Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any,  
24 and no objection having been received, and good cause appearing therefore,

25 IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

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1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated September 5, 2006 and recorded in the office of the  
3 Pinal County Recorder wherein Colonial Savings, F.A. is the current beneficiary and Dustin James  
4 Fender and Heather Catherine Fender have an interest in, further described as:

5 Lot 64, TORTOSA-NW PARCEL 11, according to the Plat of record in the office of the County  
6 Recorder of Pinal County, Arizona, recorded in Cabinet E, Slide 98.

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11 IT IS FURTHER ORDERED that Movant may contact the Debtors by telephone or written  
12 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
13 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
14 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against  
15 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

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18 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
19 to which the Debtor may convert.

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